

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 04-CV-80439
HON. GEORGE CARAM STEEH

DANIEL LEE STUART,

Defendant.

_____/

ORDER GRANTING DEFENDANT'S MOTION FOR ADJOURNMENT OF TRIAL (#39),
GRANTING ATTORNEY FLECK'S REQUEST TO WITHDRAW AS COUNSEL (#39),
GRANTING, IN PART, DEFENDANT'S MOTION TO EXTEND
MOTION CUT-OFF DATES (#39), DENYING WITHOUT PREJUDICE
GOVERNMENT'S MOTION IN LIMINE (#37), AND
NOTICE OF JURY TRIAL TO BEGIN FEBRUARY 21, 2006

For the reasons stated on the record at a December 6, 2005 hearing: defendant Daniel Stuart's motion for adjournment of trial is hereby GRANTED, with trial rescheduled for Tuesday, **FEBRUARY 21, 2006, at 9:00 A.M., PROMPTLY**, in Courtroom 228, Theodore Levin U.S. Courthouse and Federal Building, 231 W. Lafayette, Detroit, Michigan, 48226; Attorney Charles Fleck's motion to withdraw as defense counsel is hereby GRANTED; defendant's motion to extend pre-trial motion cut-off dates is hereby GRANTED, IN PART, to the extent defendant is hereby granted leave to file an additional motion to suppress pursuant to Franks v. Delaware, 438 U.S. 154 (1978) on or before December 13, 2005, and; the Government's motion in limine to exclude certain evidence is hereby DENIED, without prejudice. The Government shall not be required to file a response to defendant's anticipated motion to suppress until further order of the court.

SO ORDERED.

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: December 6, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on December 6, 2005, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk